

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER W-42-93

WHEREAS, smoking accounts for over 400,000 deaths annually, with over 42,000 of these deaths occurring among Californians; and

WHEREAS, Environmental Tobacco Smoke (ETS), or exposure to secondhand smoke is estimated to cause an additional 53,000 deaths in the United States, primarily due to lung cancer and heart disease; and

WHEREAS, a recently published study suggests that nonsmoking women exposed in the tobacco smoke of co-workers have a 34 percent higher risk of developing lung cancer, which is even higher than the risk of exposure to tobacco smoke from a spouse or household member; and

WHEREAS, ETS is classified as a carcinogen under California's Safe Drinking Water and Toxic Enforcement Act of 1986, and has recently been designated as a Class A carcinogen by the Environmental Protection Agency; and

WHEREAS, attempts at air cleaning using mechanical air filters, electronic air cleaners, ion generators, or hybrid devices are expensive, and uniformly fail to effectively remove gaseous pollutants; and

WHEREAS, smoking has been shown to create additional costs to employers associated with building maintenance and fire insurance, employee absenteeism, medical insurance and disability, and lower worker productivity;

NOW, THEREFORE, I, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective as noted below:

1. Effective March 1, 1993, the state shall implement this Executive Order. No later than December 31, 1993, smoking shall be prohibited in all state-owned buildings or leased space. This includes all state-owned or leased space within buildings shared with others, state prisons and hospitals, but does not include prison yards and state-owned housing that serves as the primary place of residence for state employees or public housing recipients.
2. The provisions of the Executive Order shall not apply to the Legislative and Judicial branches of government. However, these branches of government are invited to participate.
3. The University of California and the California State Universities are requested to comply with the provisions of this Executive Order.

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4. The Department of General Services, in consultation with the Department of Personnel Administration and the Department of Health Services, is hereby directed to coordinate the implementation of this Executive Order and address implementation via a Management Memo. Implementation shall include any necessary meeting and conferring with recognized employee organizations over the impact of this Executive Order on state employees.

IN WITNESS WHEREOF I have hereunto set my hand
and Caused the Great Seal of the State of
California to be affixed this 19th day of
February 1993.

Governor of California

ATTEST

Secretary of State